



# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं० 33]

नई दिल्ली, शनिवार, अगस्त 18, 1984/श्रावण 7, 1906

No. 33]

NEW DELHI, SATURDAY, AUGUST 18, 1984/SRAVANA 27, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

## भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-section (II)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications issued by the Ministries of the Government of India  
(other than the Ministry of Defence)

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 9 मई, 1984

(आयकर)

का० आ० 2650—अयकर अधिनियम 1961 (1961 क 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) का अनुसरण करते हुए, केन्द्रीय सरकार एतद्वारा, नीचे स्तम्भ 4 में उल्लिखित अधिसूचनाओं का अधिक्रमण करके/आंशिक सशोधन करके नीचे उल्लिखित स्तम्भ 3 में कर बसूली अधिकारियों के स्थान पर नीचे स्तम्भ 2 में उल्लिखित व्यक्तियों को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं उक्त अधिनियम के अन्तर्गत कर बसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

क्रम सं० उन व्यक्तियों के नाम उन कर बसूली अधिकारियों के नाम जिनके अधिकांश की शक्तियों का प्रयोग करने के लिए प्राधिकृत किया जाना है। अधिकांश/आंशिक सशोधन किए जाने वाले पुराने अधिसूचना की सं० और तारीख प्राधिकृत किया जाना है।

1	2	3	4
		संबंधी	
2	मुरजीत कुं पाल	पी० के० पाल	4724 दि० 18-6-82 398/19/82 आ०क० (ब)
3	विश्वनाथ मुखर्जी	एस० घोष	4736 दि० 18-6-82 398/19/82 आ०क० (ब)
4	कल्लोल बोस	ए० के० घोष	4732 दि० 18-6-82 398/19/82 आ०क० (ब)
5	ए० एन० मुखर्जी	ए० के० कुडू	4740 दि० 18-6-82 398/19/82 आ०क० (ब)
6	सजीव कुमार बोस	एस० एन० मिश्रा	4728 दि० 18-6-82 398/19/82 आ०क० (ब)
7	शांत मुखोपाध्याय	पी० के० राय	4748 दि० 18-6-82 398/19/82 आ०क० (ब)
8	बनीप कुमार साहा	बी० एस० विश्वास	4702 दि० 18-6-82 398/19/82 आ०क० (ब)

1	2	3	4
संबंधी	संबंधी		
1. इन्द्रजीत बबरोरी	एन० सी० दास	4714 दि० 18-6-82 398/19/82 आ०क० (ब)	

1	2	3	4
9	श्रीमती पूर्णिमा मिह्रा	आर० एन० आचार्य	4742 दि० 18-6-82 398/19/82 आ०क० (ब)
10	समपंथ मुखोपाध्याय	एम० आर० पाल	4734 दि० 18-6-82 398/19/82 आ०क० (ब)
11	प्य.म सुन्दर पाल	एम० एन० मल्लतो	4730 दि० 18-6-82 398/19/82 आ०क० (ब)
12	आर० एन० सील	ए० के० सरकार	4744 दि० 18-6-82 398/19/82 आ०क० (ब)
13	गुरु चन्द्र पंडित	एल० के० बत्ता	4738 दि० 18-6-82 398/19/82 आ०क० (ब)
14	विजय कुमार हलदर	ए० एल० उकील	4710 दि० 18-6-82 398/19/82 आ०क० (ब)
15	धारेन्द्र एन० विश्वास	एल० ए० माडा	4125 दि० 22-7-81 398 22/8, आ०क० ए०क०
16	अनिल कृष्ण राय	एल० एम० विश्वास	4704 दि० 18-6-82 398/19/82 आ०क० (ब)
17	श्रीमती आशा लता दास	एस० एन० मुकर्जी	4718 दि० 18-6-82 398/19/82 आ०क० (ब)
18	तमाल के भज चौधरी	सी० आर० चौधरी	4720 दि० 18-6-82 398/19/82 आ०क० (ब)
19	जिवेन्द्र एन० मैत्रा	एम० लम्कर	4722 दि० 18-6-82 398/19/82 आ०क० (ब)
20	अमल कान्ति नारायण चौधरी	बी० के० चौधरी	4716 दि० 18-6-82 398/19/82 आ०क० (ब)
21	ध्यान दाम गुप्ता	सी० आर० समादार	4708 दि० 18-6-82 398/19/82 आ०क० (ब)
22	मनोरजन राय	एम० चटर्जी	4726 दि० 18-6-82 398/19/82 आ०क० (ब)
23	शुभाशीष बसु	आर० के० विश्वास	4712 दि० 18-6-82 398/19/82 आ०क० (ब)
24	सुशील च० गांगुली	एस० सेतगुप्ता	4766 दि० 18-6-82 398/19/82 आ०क० (ब)
25	कीरेन्द्र नारायण वेशमुखा	एन० सी० आचार्य	5213 दि० 4-6-83 398/21/83 आ०क० (ब)

1	2	3	4
26	प्रकाश पट्टाचार	आर० एन० गुहा	4793 दि० 12-7-83 398/19/82 आ०क० (ब)
37	आई० बी० चौधरी	आर० एन० राम	4907 दि० 13-9-82 398/19/82 आ०क० (ब)
28	मिहिर कु० सेतगुप्ता	राजीव कु० से	4911 दि० 13-9-82 398/19/82 आ०क० (ब)

2. यह अधिसूचना तत्काल लागू होगी और जहां तक स्तम्भ 2 में उल्लिखित व्यक्तियों का संबंध है, कर वसूली अधिकारियों के रूप में उनके कार्यभार संभालने की तारीखें से लागू होगी।

[सं० 5798 (फा० सं० 398/10/84-आ०क० (ब))  
बी०ई० एलेक्जेंडर, अव्वर सचिव]

### MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 9th May, 1984

### INCOME-TAX

S.O. 2650.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises the persons mentioned below in column 2 being Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officer under the said Act in place of the Tax Recovery Officers mentioned below in column 3 in supersession/partial modification of the Notifications mentioned below column 4 :—

S. No.	Name of the persons to be authorised to exercise powers of T.R.O.	Name of T.R.O. in place of whom the persons mentioned in col. 2 are to be authorised	Old Notification No. & date to be superseded/partially modified
1	2	3	4
1.	S/Shri Indrajit Barori	S/Shri N.L. Das	4714 dt. 18-6-82 398/19/82-IT (B)
2.	Surajit Kr. Paul	P.K. Paul	4724 dt. 18-6-82 398/19/82-IT(B)
3.	Biswanath Mukherjee	S. Ghosh	4736 dt. 18-6-82 398/19/82-IT(B)
4.	Kallol Bose	A.K. Ghosh	4732 dt. 18-6-82 398/19/82-IT(B)
5.	A.N. Mukherjee	A.K. Kundu	4740 dt. 18-6-82 398/19/82-IT(B)
6.	Sanjib Kr. Bose	S.N. Mitra	4728 dt. 18-6-82 398/19/82-IT(B)
7.	Susanta Mukhopadhyay	P.K. Roy	4748 dt. 18-6-82 398/18/82-IT(B)
8.	Dalip Kr. Saha	B.S. Biswas	4702 dt. 18-6-82 398/19/82-IT (B)
9.	Smt. Purnima Sinha	R.N. Acharya	4742 dt. 18-6-82 398/19/82-IT(B)

1	2	3	4
10.	Samarpan Mukhopadhyay	M.R. Paul	4734 dt. 18-6-82 398/19/82-IT(B)
11.	Shyam Sundar Paul	M.N. Mahato	4730 dt. 18-6-82 398/19/82-IT(B)
12.	R.N. Seal	A.K. Sarkar	4744 dt. 18-6-82 398/19/82-IT(B)
13.	Guru Ch. Pandit	S.K. Dutta	4738 dt. 18-6-82 398/19/82-IT(B)
14.	Bijoy Kr. Halder	A.S. Ukil	4710 dt. 18-6-82 398/19/82-IT(B)
15.	Dhirendra N. Biswas	H.N. Saha	4125 dt. 22-7-81 398/22/81-ITCC
16.	Anil Krishna Roy	H.M. Biswas	4704 dt. 18-6-82 398/19/82-IT(B)
17.	Smt. Ashalata Das	S.N. Mukherjee	4718 dt. 18-6-82 398/19/82-IT(B)
18.	Tamal K. Bhawja Chowdhury	C.R. Chowdhury	4720 dt. 18-6-82 398/19/82-IT(B)
19.	Jibendra N. Maitra	S. Laskar	4722 dt. 18-6-82 398/19/82-IT(B)
20.	Amal Kanti Narayan Chowdhury	B.K. Chowdhury	4716 dt. 18-6-82 398/19/82-IT(B)
21.	Dhyan Dasgupta	C.R. Samaddar	4708 dt. 18-6-82 398/19/82-IT(B)
22.	Manoranjan Roy	S. Chatterjee	4726 dt. 18-6-82 398/19/82-IT(B)
23.	Subhasis Basu	R.K. Biswas	4712 dt. 18-6-82 398/19/82-IT(B)
24.	Sushil Ch. Ganguly	S. Sengupta	4706 dt. 18-6-82 398/19/82-IT(B)
25.	Birendra Narayan Deshmukhya	N.C. Acharya	5213 dt. 4-6-83 398/21/83-IT(B)
26.	Prakash Pattadar	R.N. Guha	4793 dt. 12-7-82 398/19/82-IT(B)
27.	I.B. Chowdhury	R.N. Ram	4907 dt. 13-9-82 398/19/82-IT(B)
28.	Mihir Kr. Sengupta	Rajib Kr. Dey	4911 dt. 12-9-82 398/19/82-IT(B)

2. This Notification shall come into force with immediate effect and in so far as the persons mentioned in column 2, from the dates they take over charge as Tax Recovery Officers.

[No. 5798 (F. No. 398/10/84-IT(B))  
B.E. ALEXANDER, Under Secy.]

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 30 जुलाई, 1984

का. आ. 2651 :—सरकारी स्थान (अप्राधिकृत अधि-भोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा नीचे दी गई तालिका के कालम (1) में

अर्णित अधिकारी को जो सरकार के राजपत्रित अधिकारी के बराबर के दर्जे का अधिकारी होगा, उक्त अधिनियम के प्रयोजनों के वास्ते सम्पदा अधिकारी नियुक्त करती है। यह अधिकारी प्रदत्त शक्तियों का प्रयोग करेगा और उक्त तालिका के कालम (2) में निर्दिष्ट सरकारी स्थानों के संबंध में उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को सौंपे गए कार्य करेगा।

तालिका

अधिकारी का पदनाम सरकारी स्थानों की श्रेणियाँ तथा अधिकार क्षेत्र की स्थानीय सीमाएँ

1	2
मुख्य अधिकारी (विधि)	भारत में किसी भी स्थान पर स्टेट बैंक-स्टेट बैंक आफ सौराष्ट्र आफ सौराष्ट्र के अथवा उसके द्वारा भावनगर। अथवा उनकी ओर से पट्टे पर लिए गए अथवा अधिग्रहीत स्थान।

[संख्या 36/27/84-बी. ओ.-3]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 30th July, 1984

S.O.2651.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officer mentioned in column (1) of the Table below, being an officer equivalent in rank to a gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on the estate officers by or under the said Act in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
1	2
Chief Officer (Law State Bank of Saurashtra, Bhavnagar.	Premises belonging to or taken on lease or requisition by or on behalf of the State Bank of Saurashtra at any place in India.

[No. 36/27/84-B.O. III]

का. आ. 2652 :—सरकारी स्थान (अप्राधिकृत अधि-भोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की अधिसूचना सं. का. आ. 3100 दिनांक 14 नवम्बर, 1983 में निम्न संशोधन करती है अर्थात् :—

उपरोक्त अधिसूचना की सारणी में, कालम (1) की प्रविष्टि “उप मुख्य प्रबन्धक (कानूनी), ओरियन्टल बैंक ऑफ कॉमर्स, मुख्य कार्यालय, ई-ब्लॉक, कनाट प्लेस, नई दिल्ली” से प्रतिस्थापित की जाएगी।

[संख्या 36/25/83-बी. ओ -3]  
माधव घैय, अवर सचिव

S.O. 2652.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) No S.O. 3100, dated the 14th November, 1981, namely :—

In the Table to the said notification, for the entry under column (1), the entry “Deputy Chief Manager (Law), Oriental Bank of Commerce, Head Office, E-Block, Connaught Place, New Delhi” shall be substituted

[No 36/25/83-B O III]  
M. R. VAIDYA, Under Secy.

केन्द्रीय उत्पाद शुल्क समाहर्तार, मध्य प्रदेश  
इन्दौर, 24 जुलाई, 1984  
अधिसूचना सं० 6/84

का. आ० 2653—श्री पी ए न डांगे, अधीक्षक, केन्द्रीय उत्पाद शुल्क, समूह ‘ख’ के निवृत्तन की आयु प्राप्त करने पर दिनांक 30-6-84 के अपरान्ह को शासकीय सेवा से निवृत्त हुये।

[प. सं. II (3) 5-गोप/84/3390]

CENTRAL EXCISE COLLECTORATE, M.P.

Indore, the 24th July, 1984

NOTIFICATION NO 6/84

S.O. 2653—Shri P. N. Dange, Superintendent, Central Excise, Group ‘B’ having attained the age of superannuation retired from Govt service in the afternoon of Thirtieth June, 1984.

[C No II(3)5-Con/84/3390]

अधिसूचना सं० 7/84

का. आ 2654—मध्य प्रदेश समाहर्तार, इन्दौर के श्री डी. आर. मानापुरे, प्रशासनिक अधिकारी, केन्द्रीय उत्पाद शुल्क, समूह ‘ख’ निवृत्तन की आयु प्राप्त करने पर दिनांक 30 जून 1984 के अपरान्ह को शासकीय सेवा से निवृत्त हुये।

[प. सं. II (3) 4-गोप/84/3365]  
एस. के. धर, समाहर्ता

NOTIFICATION NO. 7/84

S.O. 2654.—Shri D. R. Manapure, Administrative Officer, Central Excise, Group ‘B’ of M.P. Collectorate, Indore having attained the age of superannuation retired from Government service in the after noon of Thirtieth June, 1984

[C. No II(3)4-Con/84/3365]  
S. K. DHAR, Collector.

आर्थिक कार्य विभाग  
(बैंकिंग प्रभाग)

नई दिल्ली, 30 जुलाई, 1984

का. आ 2655—निक्षेप बीमा और प्रत्यय गारंटी निगम अधिनियम, 1961 (1961 का 47) की धारा 6 की उप-धारा (1) के खण्ड (ड) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा भारतीय स्टेट बैंक, बम्बई के प्रबंध निदेशक श्री ए. एस. पुरी को 30 जुलाई, 1984 से प्रारम्भ होने वाली और 29 जुलाई, 1986 को समाप्त होने वाली अवधि के लिए निक्षेप बीमा और प्रत्यय गारंटी निगम के निदेशक के रूप में नामित करती है।

[स. एस. 6/3/84-बी. ओ -1]  
च. वा. मीरचन्दानी, निदेशक

(Department of Economic Affairs)  
(Banking Division)  
New Delhi, the 30th July, 1984

S.O. 2655—In pursuance of the provisions of clause (e) of sub-section (1) of section 6 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri A. S. Puri, Managing Director of the State Bank of India, Bombay, as a director of the Deposit Insurance and Credit Guarantee Corporation for a period commencing on the 30th July, 1984 and ending with the 29th July, 1986

[No. F. 6/3/84-BO I]  
C. W. MIRCHANDANI, Director

विदेश मंत्रालय

नई दिल्ली, 21 जुलाई, 1984

का. आ. 2656—राजनयिक एवं कोसली अधिकारी (गणप एव शुल्क) अधिनियम 1948 की धारा 2 के खंड (क) के अनुपालन में केन्द्र सरकार इसके द्वारा डोहा, स्थित भारतीय राजदूतावास में सहायक श्री केदार सिंह को 12 जुलाई, 1984 से कोसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[स. टी. 4330/2/84]  
बी. एस. निडर, अवर सचिव

MINISTRY OF EXTERNAL AFFAIRS  
New Delhi, the 21st July, 1984

S.O. 2656.—In pursuance of the clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1949 (41 of 1949), the Central Government hereby authorise Shri Kedar Singh, Assistant in the Embassy of India, Doha to perform the duties of Consular Agent with effect from 12th July, 1984.

[No T-4330/2/84]  
B. S. NIDDER, Under Secy

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 1 अगस्त, 1984

का. आ. 2657—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की

उप-धारा (i) के खंड (ख) के उपबंध के अनुसरण में डा० ज्ञान प्रकाश को राजस्थान राज्य से 25 मई, 1984 में भारतीय आयुर्विज्ञान परिषद का सदस्य चुना गया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13 59-एम.-1 (का. आ.-138) में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिनियम में “धारा 3 की उप-धारा (1) के खंड (ख) के अधीन निर्वाचित” शीर्ष के अंतर्गत क्रम संख्या 13 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियां रखी जाएंगी, अर्थात्:—

“13 डा० ज्ञान प्रकाश  
डी०-643, गांधी नगर  
जयपुर-302015”

[सं. बी. 11013/27/83-एम. ई. (पी.)]  
एस. पी. भसीन, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE  
(Department of Health)  
New Delhi, the 1st August, 1984

S.O. 2657.—Whereas in pursuance of the provision of clause (c) sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. Gyan Prakash has been elected from the Rajasthan State to be a member of the Medical Council of India with effect from the 25th May, 1984.

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the late Ministry of Health No. 5-13/59-MI (S.O. 138) dated the 9th January, 1960, namely:—

In the said notification, under the heading “Elected under clause (C) of sub-section (1) of section 3” for serial number 14 and the entries relating thereto, the following serial number and entries shall be substituted, namely:—

“13. Dr. Gyan Prakash,  
D-643, Gandhi Nagar,  
Jaipur-302015.”

[No. V.11013/27/83-ME(P)]  
S. P. BHASIN, Under Secy.

श्रम और पुनर्वास मंत्रालय  
(श्रम विभाग)

नई दिल्ली, 8 मार्च, 1984

आदेश

का. आ. 2658:—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स नारनदास श्यामजी एण्ड कंपनी खान मालिक तालमाण्डवी, जिला सूरत के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम,

1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री. जी. एस. बरोत होंगे, जिसका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स नारनदास श्यामजी एंड कंपनी, खान मालिक, तालमाण्डवी जिला सूरत के प्रबंधन की कार्यकार श्री रुद्रप्पा मालप्पा की 1-10-82 से सेवाएं समाप्त करने की कार्यवाही वैध और न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुतोप का हकदार है?”

[सं. एल-29012/27/83-डी-3(बी)/डी-3(ए)]  
ए. वी. एस. शर्मा, डेस्क अधिकारी

MINISTRY OF LABOUR & REHABILITATION  
(Department of Labour)

New Delhi, the 8th March, 1984

ORDER

S.O. 2658.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Narandas Shyamji & Co., mine owners, Tal. Mandvi, District Surat and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G. S. Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the management of Messrs Narandas Shyamji & Company, mine owners, Tal. Mandvi, District Surat, in terminating the services of Shri Rudrappa Malappa, workman, with effect from 1-10-1982 is legal and justified? If not, to what relief is the said workman entitled?”

[No. L-29012/27/83-D.III(B)/D.III(A)]  
A. V. S. SARMA, Desk Officer.

नई दिल्ली, 3 अप्रैल, 1984

आदेश

का. आ. 2659:—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स तमिलनाडु मिनरल्स लिमिटेड की पुलीकुन्दरम कबैरी के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी. अरुल राज होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद के उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

#### अनुसूची

“क्या मैसर्स तमिलनाडु मिनेरल्स लिमिटेड की पुली-कुन्दरम क्वैरी में नियोजित अकुशल तथा अर्ध-कुशल कर्मकारों की वेतन दरों में संशोधन करके उसी नियोजित की परियानागलूर खान में नियोजित कर्मकारों के समान करने की मांग न्यायोचित है? यदि हां, तो कर्मकार किस तारीख से किस अनुतोष के हकदार है।”

[सं. एल-29011/30/82-डी-3 (बी)/डी-2(बी)]

New Delhi, the 3rd April, 1984

#### ORDER

S.O. 2659.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Pulikundram Quarry of M/s. Tamilnadu Minerals Ltd. and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Arul Raj shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

“Whether the demand for revision of wage rates of unskilled and semiskilled workers employed in Pulikundram Quarry of M/s. Tamilnadu Minerals Ltd., to bring them at par with those employed in Perianagalur Mine of the same employers is justified? If so, to what relief and from what date the workers are entitled?”

[No. I-29011/30/82-D.III(B)/D.II(B)]

नई दिल्ली, 16 जून, 1984

#### आदेश

का. आ. 2660:—केन्द्रीय सरकार की राय है कि इससे उपायय अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स सिंगरेनी कोलियरीज कंपनी लिमिटेड, रामागुण्डम डिवीजन-4 के प्रबंधतंत्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10

की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एम. एन. राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

#### अनुसूची

“क्या मैसर्स सिंगरेनी कोलियरीज कंपनी लिमिटेड, रामागुण्डम डिवीजन-4, डाकघर गोदावरीखानी, जिला करीमनगर (आन्ध्र प्रदेश) के प्रबंधतंत्र की गोदावरी खानी 8ए इन्क्लाइन के लाइन मैन, श्री सिधा भूमैया पुत्र नरसैया का नाम 28-8-1981 से हाजिरी रजिस्टर से हटाने को कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष का हकदार है?”

[सं. एल-22012/27/83-डी-3 (बी)/डी-2(बी)]

टी. बी. सीतारामन, भवर सचिव

New Delhi, the 16th June, 1984

#### ORDER

S.O. 2660.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of M/s. Singareni Collieries Company Ltd., Ramagundam Division IV and their workmen in respect of the matter specified in the schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri M. N. Rao shall be the Presiding Officer with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

“Whether the action of the management of M/s. Singareni Collieries Company Ltd., Ramagundam Division IV, P.O. Godavarikhani, Dist. Karimnagar (A.P.) is justified in removing the name of Shri Sidha Bhoomaiyah S/o Narasaiah, Lineman of Godavarikhani 8A Incline from their muster roll w.e.f. 28-8-1981? If not, to what relief is the workman concerned entitled?”

[No. L-22012/27/83-D.III(B)/D.II(B)]

T. B. SITARAMAN, Under Secy.

नई दिल्ली, 30 जून, 1984

का० आ० 2661:—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय खाद्य निगम के दाल मिल ताल कटोरा लखनऊ के नियमित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से 1 अप्रैल, 1974 से 30 सितम्बर, 1984 तक की जिसमें यह तारीख भी सम्मिलित है, अक्षि के लिए छूट देती है।

उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात्:—

(1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधानं दर्शित किए जाएंगे;

- (2) इस छूट के होने हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करने रहेंगे जिनका पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अभिदायों के आधार पर हकदार हो जाते ;
- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले ही संदत्त किए जा चुके हैं तो वे वापस नहीं किए जाएंगे ;
- (4) उस कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवृत्त था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है) ऐसी विवरणियां ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी ;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या इस निमित्त प्राधिकृत निगम का कोई अन्य पदधारी,—
- (i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजन के लिए, या
- (ii) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभि लेख उक्त अवधि के लिए रखे गए थे या नहीं, या
- (iii) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी, नियोजक द्वारा दी गई उन प्रसुविधाओं को, जो ऐसी प्रसुविधाएं हैं जिनके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या
- (iv) यह अभिनिश्चित करने के प्रयोजनों के लिए कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिए सशक्त होगा,—

- (क) प्रधान नियोजक या अव्यवहित नियोजक से यह अपेक्षा करना कि वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या
- (ख) ऐसे प्रधान नियोजक या अव्यवहित नियोजक के अधिभोग में के कारखाने, स्थापन, कार्यालय या

अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके भारसाधक व्यक्ति से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के सदाय से संबंधित ऐसी लेखाबहिया और अन्य दस्तावेजों, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दे या वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे या

- (ग) प्रधान नियोजक या अव्यवहित नियोजक की, उसके अभिकर्ता या सेवक की या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या

- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल करना या उससे उद्धरण लेना।

[संख्या एस-38014/9/79-एच०आई०]

स्पष्टीकरण ज्ञापन

इस मामले में छूट की मंजूरी के लिए आवेदन देर से प्राप्त हुआ था इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हिन पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 30th July, 1984

S.O. 2661.—In exercise of the powers conferred by section 88 read with section 91A of the 'Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of the Dal Mill of the Food Corporation of India, Talkatora, Lucknow from the operation of the said Act for a period with effect from 1st April, 1974 upto and inclusive of the 30th September, 1984.

The above exemption is subject to the following conditions, namely:—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refunded;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (5) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of—

- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory be empowered to —
  - (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
  - (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
  - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
  - (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/9/79-HI]

## EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the application for exemption was received late. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का.आ. 2662.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 88 द्वारा प्रदत्त, शक्तियों का प्रयोग करते हुए उन सरकारी कर्मचारियों को जो मैसर्स हिन्दुस्तान टेली-फिण्टर्स, मद्रास में प्रतिनियुक्ति पर हैं और जिनके नाम इसमें उपाख्य अनुसूची के स्तंभ 2 में विनिर्दिष्ट हैं, उक्त अधिनियम के प्रवर्तन से पूर्वोक्त अनुसूची के स्तंभ 4 का तत्स्थानी प्रविष्टियों में विनिर्दिष्ट अवधि के लिए छूट देती है।

उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात्:—

- (1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान दर्शित किए जाएंगे;
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे, जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संवत्त अभिदायों के आधार पर हकदार हो जाते;

- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले ही संदत्त किए, जा चुके हैं तो वे वापस नहीं किए जाएंगे;
- (4) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवृत्त था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है) ऐसी विवरणियां ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या इस निमित्त प्राधिकृत निगम का कोई अन्य पदधारी,—
  - (i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनों के लिए, या
  - (ii) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं, या
  - (iii) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी, नियोजक द्वारा दी गई उन प्रसुविधाओं को, जो ऐसी प्रसुविधाएं हैं जिनके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या
  - (iv) यह अभिनिश्चित करने के प्रयोजनों के लिए कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिए सशक्त होगा,—

- (क) प्रधान नियोजक या अव्यवहित नियोजक से यह अपेक्षा करना कि वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या
- (ख) ऐसे प्रधान नियोजक या अव्यवहित नियोजक के अधिभोग में के कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके भारसाधक व्यक्ति से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजूरी के संवाय से संबंधित ऐसी लेखाबहियां और अन्य वस्तावेजों, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दे या वह



उसे ऐसी जानकारी दे जो वह आवश्यक समझे;  
या

(ग) प्रधान नियोजक या अव्यवहित नियोजक की, उसके अभिकर्ता या सेवक की या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल करना या उससे उद्धरण लेना।

#### अनुसूची

क्रम सं.	नाम	पदनाम	छूट की अवधि
1.	श्री सुभाष चन्दर	तकनीशियन	2 जनवरी, 1982 से 1 जनवरी, 1984
2.	श्री दलीप सिंह	तकनीशियन	8 जुलाई, 1982 से 7 जुलाई, 1983
3.	श्री किशन दास	तकनीशियन	7 जुलाई, 1982 से 6 जुलाई, 1983

[संख्या एस-38014/5/82-एच० आई०]

#### स्पष्टीकारक ज्ञापन

इस मामले में भूतलक्षी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट की मंजूरी के लिए प्राथनापत्र देर से प्राप्त हुआ। तथापि, यह प्रमाणित किया जाता है कि भूतलक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 2662.—In exercise of the powers conferred by section 88 read with section 91A of the Employees' State Insurance Act 1948 (34 of 1948), the Central Government hereby exempts the Government servants who are on deputation with Messrs. Hindustan Teleprinters, Guindy, Madras and whose name are specified in column 2 of the Schedule annexed hereto, from the operation of the said Act for the periods specified in the corresponding entries in column 4 of the aforesaid Schedule.

The above exemption is subject to the following conditions, namely:—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period; if already paid, shall not be refunded;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period); such returns in such

form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(5) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of —

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory be empowered to—

(a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from, any register, account book or other documents maintained in such factory, establishment, office or other premises.

#### SCHEDULE

S. No.	Name	Designation	Period of exemption
2	3	4	
1.	Shri Subash Chander	Technician	2nd January, 1982 to 1st January, 1984.
2.	Shri Dalip Singh	Technician	8th July, 1982 to 7th July, 1983.
3.	Shri Kishan Dass	Technician	7th July, 1982 to 6th July, 1983.

[No. S-35019/226/84-PF. II]

#### EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemptions in this case as the request for exemption was received late. However, it is certified that the grant exemption with retrospective effect will not effect the interest of anybody adversely.

का.आ. 2663 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कोचीन सिक्योरिटी एण्ड डिटेक्टिव सर्विसेज,

सुरेश थियेटर कैम्पस, 26/770, दैबरा, अरनाकुलम, कोचीन-682013, केरल, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(226)/84-पी.एफ.-2]

S.O. 2663.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Cochin Security and Detective Services, Suresh Theatre Campus, XXVI/770, Thevar, Ernakulam, Cochin-682013, Kerala, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/226/84-PF-II]

का.आ. 2664 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री मुरुगन बाडी बिल्डर्स, 46, वाइट्स रोड, मद्रास-600014, तमिल नाडू नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(264)/84-पी.एफ.-2]

S.O. 2664.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Sri Murugan Body Builders, 46, Whites Road, Madras-600014, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/264/84-PF-II]

का.आ. 2665 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पाण्डियन ट्रांसपोर्ट्स, 7, मैतू स्ट्रीट, थिरुथूराल् पण्डी, जिला तन्जौर, तमिल नाडू नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध

अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(265)/84-पी.एफ.-2]

S.O. 2665.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Pandian Transports 7, Mettu Street, Thiru-thural-poon-di Tanjore District, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of the Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/265/84-PF-II]

का.आ. 2666 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि नार्थ आरकोट डिस्ट्रिक्ट आटोमोबाइल्स स्पेयर पार्ट्स को-ऑपरेटिव स्टोर्स लिमिटेड, 18/1, मा-पो-सी (बाई पास रोड), वेल्लोर, नार्थ आरकोट डिस्ट्रिक्ट, तमिल नाडू नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस. 35019(266)/84-पी.एफ. 2]

S.O. 2666.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs The North Arcot District Automobiles Spare Parts Co-operative Stores Limited, 18/1, Ma-Po-Si (By pass Road) Vellore, North Arcot District, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of the Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/266/84-PF-II]

का.आ. 2667 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जेड. ए. 74, शोलंगानाल्लूर एथीकल्चर सर्विस को-ऑपरेटिव सोसाइटी लिमिटेड वाडागुडी, आमूर डाकघर, तिरुवरूर तालुक, पिन-610101, तमिल नाडू, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि

और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[स.एस. 35019(267)/84-पी.एफ. 2]

S.O. 2667.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Z. A. 74, Sholanganallur Agriculture Service Co-operative Society Limited, Vadagudi, Amore P. O., Tiruvavur Taluk, Pin-610101, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of the Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[S-35019/267/84-PF-II]

का.आ. 2668 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सेन्चुरी इंजीनियरिंग कॉर्पोरेशन, जी-5, एम.सी. कॉम्प्लेक्स, स्टेडियम रोड, विशाखापटनम-530001, आन्ध्र प्रदेश, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं. एस. 35019(268)/84-पी.एफ. 2]

S.O. 2668.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Century Engineering Corporation, D-5, M. C. Complex, Stadium Road, Visakhapatnam-530001, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of the Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[S-35019/268/84-PF-II]

का.आ. 2669:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स थिक्कानामकोडे एग्रीकल्चरल सर्विस को-ओपरेटिव सोसाइटी, थिक्कानामकोडे पोस्ट, जिला कन्याकुमारी, तमिल नाडू नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952

का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं. एस. 35019(269)/84-पी.एफ. 2]

S.O. 2669.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Thickenamcode Agricultural Service Co-operative Society, Thickenamcode Post, Kanyakumari District, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/269/84-PF-II]

का.आ. 2670 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स 515 आर्मी बेस वर्कशॉप यूनिट स्कूल सोसाइटी, उलसूर बंगलौर-560008, कर्नाटक, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[एस. 35019(278)/84-पी.एफ. 2]

S.O. 2670.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs 515 Army Base Workshop Unit School Society, Ulsoor, Bangalore-560008, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/278/84-PF-II]

नई दिल्ली, 31 जुलाई, 1984

का.आ. 2671 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पंचमल इण्डस्ट्रियल, कॉर्पोरेशन, कुलशेकर, मंगलूर-575005, कर्नाटक तथा 3801/140, पत्तनगर, माटकोपर, बम्बई-400075 पर स्थित इसके मुख्यालय सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952

का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस. 35019(280)/84-पी.एफ. 2]

New Delhi, the 31st July, 1984

S.O. 2671.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Panchmal Industrial Corporation, Kulshekar, Mangalore-575005, Karnataka including its Head Office at 3801/140, Pantnagar, Ghatkoper, Bombay-400075, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/280/84-PF-II]

का.आ. 2672 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स क्वालिटी प्रिन्टर्स, 135ए, कवल बाइरासन्द्रा, बंगलूर-560006, कर्नाटक, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस. 35019(281)/84-पी.एफ. 2]

S.O. 2672.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Quality Printers, 135-A, Kaval Byrasandra, Bangalore-560006, Karnataka, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/281/84-PF-III]

का.आ. 2673.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री लक्ष्मी, 59, जैरी रोड, सालम-636001, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं.एस-35019(282)/84-पी.एफ. 2]

S.O. 2673.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Sri Lakshmi, 59, Cherry Road, Salem-636001, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of the Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/282/84-PF-II]

का.आ. 2674.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स तन्जौर डिस्ट्रिक्ट पी. डब्ल्यू. डी. एम्प्लॉईज को-ऑपरेटिव थ्रिफ्ट एण्ड क्रेडिट सोसाइटी लिमिटेड, टी-1944, तन्जौर, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस. 35019(283)/84-पी.एफ. 2]

S.O. 2674.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Tanjore District P.W.D., Employees' Co-operative Thrift and Credit Society Limited, T-1944, Tanjore, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/283/84-PF. II]

का.आ. 2675.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सूर्य इण्डस्ट्रीज, 62, सिडको इण्डस्ट्रियल एस्टेट, कोयम्बटूर-641021, तमिलनाडु तथा 16-बी. डी. रोड, आर. एस. पुरम कोयम्बटूर-2 पर स्थित इसके प्रशासनिक कार्यालय सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं.एस-35019(284)/84-पी.एफ. 2]

S.O. 2675.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Surya Industries 62, SIDCO Industrial Estate, Coimbatore-641021 including its Admn. Office at 16-B, D. B. Road, R. S. Puram, Coimbatore-641021, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/284/84-PF. II]

का०आ०.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री कोमल होस्पिटल एण्ड नर्सिंग होम सरकुलर रोड, ग्वाड़ो-123401, हरियाणा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(285)/84-पी०एफ०-2]

S.O. 2676.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shri Komal Hospital and Nursing Home, Circular Road, Rewari-123401, Haryana have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/285/84-PF. II]

का०आ० 2677.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लक्ष्मी बेसन मिल्स, 73/1, शामाणुर रोड, दावंगरे-577002, कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(286)/84-पी०एफ०-2]

S.O. 2677.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Lakshmi Basan Mills, 73/1, Shamañur Road, Davangere-577002, Karnataka, have agreed that the provisions of the Employees' Provident

Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/286/84-PF. II]

का०आ० 2678.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कोडान्डा प्रिन्टर्स, 4-7-152/ए, बाकाराम, हैदराबाद 48, आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(287)/84-पी०एफ०-2]

S.O. 2678.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kodanda Printers, 4/7/152/A, Bakaram, Hyderabad-48, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/287/84-PF. II]

का०आ० 2679.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अरुमानई मिल्क प्रोड्यूसर्स को ऑपरेटिव सोसाइटी लिमिटेड, बी०आर०डी० 147, अरुमानई-629151, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(288)/84-पी०एफ०-2]

S.O. 2679.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Arumanai Milk Producers' Co-operative Society Limited, V.R.D. 147, Arumanai-629151, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/288/84-PF. II]

नई दिल्ली, 1 अगस्त, 1984

का०आ० 2680.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पावर इलेक्ट्रॉनिक कार्पोरेशन, 86/87, उदुमाल-पेट रोड, पोलाची, तमिलनाडु तथा 39, ए-1, सातवी गली, टाटा बाद, कोयम्बटूर-641012 पर स्थित इसके पंजीकृत कार्यालय सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(279)/84-पी०एफ०-2]

New Delhi, the 1st August, 1984

S.O. 2680.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Power Electronic Corporation, 86/87, Udumalpet Road, Pollachi, Tamil Nadu including its Registered Office at 39, A-1, 7th Street, Tatabad, Coimbatore-641012, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/279/84-PF. II]

का.आ. 2681.—मैसर्स पाल्लावन ट्रांसपोर्ट कार्पोरेशन लि. (भेट्रो), पाल्लावन हाउस, अन्ना सलाई, मद्रास-600002 (तमिल नाडु) 7569 और राज्य में इसकी कई शाखाएँ/इकाइयाँ (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् अन्विष्ट या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय है;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते

हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, तमिल नाडु को ऐसी विवरणियाँ भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभागों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभागों संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश्य रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेश्य होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिवत वारिस/नामनिर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, तमिल नाडु के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी

संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं; तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम उसके हकदार नामनिर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में सभी पहलुओं में पूरे किए गए दावों के प्राप्त होने के एक माह के भीतर सुनिश्चित करेगा।

[संख्या एस. 35014/66/84/एफ.पी.जी.]

ए.के. भट्टराई, अवसर सचिव

S.O. 2681.—Whereas Messrs Pallavan Transport Corporation Limited (Metro), Pallavan House, Anna Salai, Madras-600002 (TN7569) and its various branches/Units in the State, (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act) ;

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme) ;

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all provisions of the said Scheme for a period of three years.

#### SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu, and maintain such accounts and

provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme by making the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme is less than the amount that would be payable had employees been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(66)/84-FPG]

A. K. BHATTARAI, Under Secy.

New Delhi, the 2nd August, 1984

S.O. 2682.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Govt. Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Choti Tekva, Abrah Khan of Messrs Eastern Manganese & Minerals Ltd., P.O. Kodarma, Distt. Hazaribagh and their

workmen, which was received by the Central Government on the 23rd July, 1984.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

Reference No. 48 of 1983

In the matter of industrial dispute under S. 10(1)(d) of the I.D. Act, 1947.

**PARTIES :**

Employers in relation to the management of Chotki Tekwa Abrakh Khan of M/s. E.M.M. Ltd. and their workmen.

**APPEARANCES :**

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workmen—Shri Ramdhari Singh, representative of the workmen

STATE : Bihar.

INDUSTRY : Mica

Dhanbad, the 17th July, 1984

**AWARD**

The Government of India in the Ministry of Labour, in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-27011/4/82-D.III(B) dated the 13th June, 1983.

**SCHEDULE**

"Whether the management of Chotki Tekwa Mica Mine of M/s. Eastern Manganese & Minerals Ltd., P.O. Kodarma, Distt: Hazaribagh are justified in not paying wages to S/Shri Narayan Hazam (2) Chaman Gope (3) Gefur Mian (4) Barho Das, (5) Bshun Bhuiyan, (6) Bhim Singh, (7) Bhatu Kumar, (8) Shivraj Ram and (9) Bidhan Mian for the period 19-4-81 to 19-11-81 ? If not, to what relief the workmen are entitled ?"

After the issuance of the notices upon the parties the workmen appeared and filed a petition dated 30-5-84 stating that the cases with regard to the affairs of the M/s. E.M.M. Ltd. is pending in High Court, Calcutta and Hon'ble Supreme Court of India and as such they withdraw the dispute incorporated in this reference. The learned Advocate Shri B. Joshi appearing on behalf of the employers submitted that no dispute Award may be passed as the Union does not press the demand made in the Reference.

As the parties are not in dispute in respect of the dispute in the reference a 'No Dispute' Award is being passed in this case.

I. N. SINHA, Presiding Officer  
[No. L-27011/4/82-D.III(B) (Pt.)]  
NAND LAL, Under Secy.

New Delhi, the 3rd August, 1984

S.O. 2683.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the management of Corporation Bank, Bombay and their workmen, which was received by the Central Government on the 26th July, 1984.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY**

Reference No. CGIT-2 of 1984

**PARTIES :**

Employers in relation to Corporation Bank, Bombay.

AND

Their workmen

**APPEARANCES :**

For the employer—Mr. V. V. Pal, Advocate

For the Corporation Bank Employees' Guild—Mr. C. K. Udeshi, Advocate.

INDUSTRY : Banking

STATE : Maharashtra

Bombay, the 12th day of June, 1984

**ORAL AWARD**

The Government of India, Ministry of Labour & Rehabilitation (Department of Labour) by order No. 12012/19/83-D. IV(A) dated 7th January, 1984, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), have referred to this Tribunal for adjudication an industrial dispute between the management of Corporation Bank, Bombay, and their workman in respect of the matters specified in the schedule mentioned below :—

**SCHEDULE**

"Whether the action of the management of Corporation Bank, Bombay in relation to their Nariman Point Bombay Branch in withdrawing with effect from 13-9-1982 the officiating duties entrusted to Shri Krishnanand Kamath, Clerk is justified ? If not, to

what relief is the workman concerned entitled ?"

2. The arguments heard at length. During the course of the arguments Mr. Pal for the Corporation bank undertook to pay the officiating allowance to Kamath upto 13-9-1982. It is an admitted position and it cannot be disputed that an officer was transferred from Jamnagar branch to work as an officer to Nariman Point branch where Kamath was asked to look after and officiate in the place of the erstwhile officer, Sunder. The new officer Mr. Balkrishnan being appointed in the normal course also Kamath's appointment and officiating charge would have come to an end. It is also admitted that Balkrishnan actually took charge on the 14th September, 1983, though he was supposed to take charge on the 13th September, 1983, and assume his office. In view of these circumstances, the reference was not passed and it is not necessary, therefore, to adjudicate upon the question of justification. It is conceded that on the appointment of Balkrishnan, Kamath's officiating position would have come to an end.

3. Award accordingly. No order as to costs.

R. D. TULPUL, Presiding Officer.  
[No. L-12012/19/83-D.IV(A)]  
S. S. PRASHER, Desk Officer

New Delhi, the 3rd August, 1984

S.O. 2684.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2 Dhanbad in the industrial dispute between the employers in relation to the management of Kharkharee Colliery in Govindpur Area No. III of M/s. Bharat Coking Coal Limited, Post Office Sonardih, Distt. Dhanbad and their workmen, which was received by the Central Government on the 27th July, 1984.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

Reference No. 66 of 1982

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947.

**PARTIES :**

Employers in relation to the management of Kharkharee Colliery in Govindpur Area No. III of Messrs Bharat Coking Coal Limited, Bilbera House, P. O. Sonardih, Dist. Dhanbad and their workmen.

**APPEARANCES :**

On behalf of the employers.—Shri B. Joshi, Advocate.

On behalf of the workmen.—Shri B. Lal, Advocate.

STATE : Bihar.

INDUSTRY : Coal.



Dhanbad, the 20th July, 1984

## AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(73)/82-D.III(A), dated, the 9th July, 1982.

## SCHEDULE

"Whether the demand of the workmen of Kharkharee Colliery in Govindpur Area No. III of Messis Bharat Coking Coal Limited, Bilbera House, Post Office Sonardih, District Dhanbad for reinstatement of Shri Adish Kumar Jain, Survey Apprentice is justified? If so, to what relief is the said workman entitled?"

The case of the workmen is that Shri K. C. Jain an Attendance Clerk in Kharkharee Colliery, died on 9-11-78 in harness. Smt. Sushila Devi, wife of late K. C. Jain submitted an application for the appointment of her son-in-law Shri A. K. Jain with necessary bio-data on humanitarian ground vide her application dated 20-1-81 as she had no means to maintain the family after the death of her husband. Smt. Sushila Devi had applied for the appointment of her son-in-law on compassionate ground as in similar circumstances dependants of deceased employees had been appointed by M/s. B.C.C. Ltd., After full enquiry the management was pleased to appoint the concerned workman Shri A. K. Jain as Survey Apprentice vide letter of employment dated 29-4/5th May, 1981. The concerned workman joined on the 6th May, 1981 and continued to be the workman of BCCL till 29th May, 1981 when his services were terminated by the order of the Superintendent of Kharkharee Colliery vide letter dated 27/28-5-81. It was stated in the said letter that the appointment letter of the concerned workman is being cancelled till a clarification is received from the Headquarters. The General Manager of Area No. III finally cancelled the appointment of the concerned workman vide his letter dated 19-6-81. No reason was assigned for the termination of the services of the concerned workman. The said termination was arbitrary and without any valid reason. The concerned workman and his mother-in-law submitted several applications to the Superintendent of the Colliery and to the General Manager for re-consideration of the matter and reinstatement of the concerned workman on the job of Survey Apprentice but to no effect. The appointment of the concerned workman was made after due consideration and deliberation and it was without any manipulation. Several persons were appointed on compassionate ground being the dependant of deceased employees even before NCWA-II came into existence. In the application for employment of the concerned workman every particular including the date of death of late K. C. Jain was mentioned and there was no suppression of any fact. The concerned workman was not in connivance with the dealing clerk in mentioning the date of death of late K. C. Jain as 9-11-79 in place of 9-11-78. The concerned workman was not given any notice to explain his conduct. The termination of the services of the concerned workman was in utter violation of the provision of the I.D. Act and the standing orders and was not in conformity with any law. On the above facts it was submitted that the concerned workman be ordered to be reinstated with retrospective effect with full back wages.

The case of the management is that a Public Sector management is bound by rules of law framed from time to time with regard to recruitment, promotion and conditions of service etc. The recruitment to fill up by permanent posts are always done from the Headquarters of M/s. Bharat Coking Coal Ltd., by authorised officers in accordance with the general procedure of recruitment. The General Managers of Areas are not empowered to recruit any workman to fill up any permanent post of his area. The recruitment of personnel as apprentices is done by the Headquarters and not by the General Managers of different areas. The NCWA-II came into force w.e.f. 1-1-79 under which a chapter on social security measure was incorporated giving right of employment to the dependants of employees dying in harness. The power for implementation of NCWA-II was given to the General Manager of different areas and were empowered to appoint dependants of deceased employees after obtaining prior approval from the Headquarters. The concerned

workman who is Son-in-law of late K. C. Jain was appointed as Survey Apprentice on 5-5-81 in the capacity of dependant of late K. C. Jain. Few days after the recruitment of the concerned workman, it was observed that his recruitment was irregular, illegal, void and without jurisdiction as Shri K. C. Jain died before 1-1-79 but the approval for the appointment of the concerned workman had been obtained from the Headquarters by manipulation or records by showing that Shri K. C. Jain died on 1-1-79. The appointment of the concerned workman, therefore was cancelled by a letter dated 28-5-82 after obtaining instructions from the Headquarters. The General Manager of an area is not empowered to appoint any person purely on humanitarian ground as there will be the no limit to such employment to the prejudice of all rules and policy of the administration. The concerned workman had no right to be appointed in the capacity of dependant and as such he could not derive any right for such appointment. The letter of appointment to the concerned workman was issued due to certain mistakes committed at the area level in as much as the forwarding letter to the Headquarters showed the date of death of late K. C. Jain as 9-11-79 in place of 9-11-78 in connivance with the dealing clerk and accordingly the approval for his appointment was made under NCWA-II. As soon as it was detected that the concerned workman had obtained his appointment because of wrong date of death of late K. C. Jain mentioned in the forwarding letter of the General Manager to the Headquarters, his appointment was cancelled. It was a case of termination simpliciter of an apprentice who had hardly completed 20 days of service. On the above submissions it is submitted on behalf of the management that the Award be passed holding that the concerned workman is not entitled to any relief.

The only question to be determined in this case is whether the demand for reinstatement of the concerned workman is justified.

The workman has examined four witnesses in support of his case whereas the management examined one witness in support of their case. Besides that both the parties have filed document in support of their respective cases.

It is the admitted case of the parties that Shri K. C. Jain died on 9-11-78. It is also admitted that the concerned workman is the son-in-law of late K. C. Jain and he was appointed as Survey Apprentice by the management. It is also admitted case of the parties that the concerned workman worked from 6th May, 1981 to 29-5-1981. The case of the concerned workman is that his mother-in-law had applied for his appointment on compassionate ground after the death of Shri K. C. Jain in harness. The case of the management on the other hand is that the concerned workman was not appointed on compassionate ground but he was appointed under NCWA-II which came into effect from 1-1-79 and that the concerned workman had manipulated the office to bring his case under NCWA-II by giving the date of death of late K. C. Jain as 9-11-79 in the forwarding letter dated 23/26-2-81 sent by the General Manager of Govindpur Area to the Deputy Personnel Manager (R), Karmik Bhawan, Dhanbad. The question, therefore is whether the concerned workman had manipulated to obtain his appointment under the provisions of NCWA-II. The management has produced photostat copy of Ext. M-1 of the original letter dated 23/26-2-81 sent by the General Manager of Govindpur Area to the Dy. Personnel Manager, Karmik Bhawan. It will appear from this that the date of death of late K. C. Jain is typed as 9-11-79. This letter was actually issued by the Office of General Manager, Govindpur Area of BCCL to the Deputy Personnel Manager, Karmik Bhawan on the basis of which the Deputy Personnel Manager had dealt with the employment of the concerned workman. MW-1 Mrs. Susila Sinha was the Deputy Personnel Manager at the relevant time who had received the letter Ext. M-1 from the General Manager. She had prepared notesheet on the basis of Ext. M-1. She has stated that the date of death of K. C. Jain had been shown as 9-11-79 in the original of Ext. M-1. She had dealt with the case of the concerned workman under NCWA-II. She has proved the entire notesheet containing the notice of several officers and is marked Exts. M-4 to Ext. M-4/8. On perusal of the said notesheet it will appear that the appointment of the concerned workman was processed under NCWA-II. She has stated that the appointment of the concerned workman

was made under NCWA-II and not on compassionate ground and that there was no move for giving work to the concerned workman on compassionate ground. In her cross-examination she has stated that even after NCWA-II Award there have been some appointment on compassionate ground. She has further stated that one who wants to be appointed on compassionate ground has to apply for it. She has admitted that the application filed on behalf of the concerned workman for getting employment was not placed before her and that she had not personally enquired into the matter of the concerned workman before preparing the notesheet. It will thus appear from the evidence of MW-1 and her notesheet that she was swayed away by the entry of date of death of late K. C. Jain as 9-11-79 in Ext. M-1 for processing the appointment of the concerned workman under NCWA-II. It has to be found out whether the concerned workman or his mother-in-law had, in fact, ever given wrong date of death of late K. C. Jain so as to bring the case of appointment of the concerned workman under NCWA-II. The concerned workman has filed a letter Ext. W-3 dated 23/26-2-81 issued by the General Manager, Govindpur Area to the Deputy Personnel Manager (R), Karmik Bhawan. This document was filed in this case by the management and is the Office copy which was maintained by the General Manager, Govindpur Area. It will appear from this letter that the date of death of Shri K. C. Jain was stated as 9-11-78 and not 9-11-79 as is shown in Ext. M-1. MW-1 has stated that she had not received the copy of Ext. W-3 from the General Manager but she has admitted that Ext. M-1 and W-3 bear the same letter No and the date and both have been issued by the General Manager and are addressed to her but she had actually received the original of Ext. M-1. She has also stated that she came to know that the two letters were in existence as containing the matters of Ext. M-1 and W-3. She did not make any enquiry as to how 1979 was recorded in Ext. M-1. She has expressed her ignorance that in all the papers filed by the concerned workman the date of death was mentioned as 9-11-78. It will appear from Ext. M-2 that the General Manager of Govindpur Area had given the date of death of K. C. Jain as 9-11-78 in his letter which he forwarded to the Deputy Personnel Manager. It will further appear from Ext. M-7 which is a letter from the Additional Chief Personnel Manager to the General Manager, Govindpur Area that there was difference of year in the date of death of late K. C. Jain and that the General Manager was asked to ensure that in future due case is taken and wrong information is not furnished. There is no iota of evidence to show that the concerned workman or any person on his behalf had manipulated in giving the wrong date of death in the forwarding letter Ext. M-1 and there is also no evidence to show that the said entry of date of death of late K. C. Jain in Ext. M-1 as 9-11-79 was made in connivance with the concerned workman or any person on his behalf. The only witness examined on behalf of the management did not state as to how the said manipulation was maneuvered by the concerned workman. A mere allegation without any specification is not enough to fasten the concerned workman with the liability of making a manipulation in the letter which was forwarded by the General Manager of Govindpur Area to the Deputy Personnel Manager.

Ext. W-2 dated 24-1-81 is a letter from the Superintendent of Kharkharee Colliery to the General Manager of Govindpur Area in respect of the employment of the concerned workman. It will appear from this letter that the Superintendent had received an application along with Mukhya Certificate, Conv of death certificate etc. from the concerned workman which were sent along with Ext. W-2 to the General Manager. It will further appear from this that Shri K. C. Jain died on 9-11-78. Ext. W-1 is a letter dated 4-9-81 by the Superintendent of Kharkharee Colliery to the Personnel Manager, Govindpur Area in respect of alleged illegal termination of service of the concerned workman. It is nowhere stated that the concerned workman had given the date of death of late Shri K. C. Jain as 9-11-79. The workman WW-1 has denied that he had not manipulated the date of death of his father-in-law as 9-11-79 in order to procure employment under NCWA-II. Thus there is nothing in the evidence of workman also that any manipulation was done at the instance of the workman regarding the date of death of late K. C. Jain.

Ext. W-4 is the notes of discussion between the management of M/s. BCCL with Koyala Ispat Mazdoor Panchayet at C.M.O's level on 20-1-81. It will appear from point No. 8(b) of the notes of discussion that the union was to give specific deserving cases of death in harness prior to one year from 1-1-79 for examination of the management for appointment of dependants of employees on compassionate ground. Thus it will appear from Ext. W-4 that the management had agreed to consider the cases of dependants of the deceased employees in harness who had died within a period of one year from 1-1-79. Admittedly, NCWA-II came into operation w.e.f. 1-1-79 and this arrangement between the management and the union was made in respect of the dependants of the deceased employees who had died in harness prior to the coming into force of NCWA-II. Even MW-1 has also admitted that even after NCWA-II award there had been some appointment on compassionate ground and that one who wants to be appointed on compassionate ground has to apply for it. It will appear from Ext. W-1 that the application for the appointment of the concerned workman was made on 20-1-81 and it appears that he had applied in accordance with the notes of discussion held on the same day vide point No. 8(b) of Ext. W-4. The workman has stated the names of some employees in Annexure-6 of the W. S. showing the list of persons employed after the death of their employees guardians prior to 1979. WW-3 Shri H. N. Singh is the General Secretary of Koyala Ispat Mazdoor Panchayet. He has proved the minutes of discussion Ext. W-4. He has stated that if a workman dies while in service, one of his dependant is offered employment according to NCWA-II and that in accordance with the discussion dated 20-1-81 (Ext. W-4) it was decided that in case the death occurred one year prior to 1-1-79 the cases of their dependants will be referred to the management for employment on compassionate ground. He has further stated that in lot of individual cases the management had given employment to the dependants or the employees dying in harness prior to 1-1-79 WW-4 who is Vice President of Koyala Ispat Mazdoor Panchayet has stated that the concerned workman or anybody on his behalf did not write to the management that K. C. Jain died sometime in the year 1979. He has further stated that even before 1-1-79 the dependant of deceased employees were given employment on compassionate ground and that he has given a list of such persons. His evidence is supported by annexure 6 of the W. S. of the workman and it is also admitted by management's witness No. 1 that even after NCWA-II there have been appointments on compassionate ground. It is clear, therefore, that the management has made some appointment on compassionate grounds even after coming into effect of NCWA-II Award and there is notes of discussion Ext. W-4 which clearly indicate that the management was considering such cases for appointment of the dependants of employees dying in harness on compassionate ground.

The concerned workman had applied giving the date of death of late Shri K. C. Jain as 9-11-78 and the Superintendent of Kharkharee Colliery and General Manager of Govindpur Area had forwarded the application of the concerned workman stating the date of death of late Shri K. C. Jain as 9-11-78. How a mistake has occurred in the copy Ext. M-1 sent to the Deputy Personnel Manager is for the management to explain. There is no evidence to the effect that the concerned workman had a hand in making a manipulation in the date of death of Shri K. C. Jain as 9-11-79 as the concerned workman never prayed for his appointment on the basis of NCWA-II. The facts stated by him were not covered under NCWA-II and as such it is clear that his application was for appointment on compassionate ground. If the management and his officers decided his appointment under NCWA-II on the basis of a wrong entry of the date of death of Shri K. C. Jain in their paper the concerned workman cannot be penalised for it. Admittedly, the appointment letter given to the concerned workman did not disclose that he was being appointed under NCWA-II and all the notes regarding the appointment of concerned workman under NCWA-II remained with the management of which the concerned workman had no knowledge. In my opinion the fault in dealing with the case of the appointment of the concerned workman under NCWA-II was with the management and not with the concerned workman for which he

has been penalised. Instead of punishing the officials or the persons dealing with the matter the management made the concerned workman a scapegoat by terminating his services. Even if the concerned workman was appointed under NCWA-II, his termination on the ground that his appointment under NCWA-II was illegal, should not have been taken against the concerned workman, inasmuch as there was nothing before the management to show that the concerned workman had manipulated in giving the date of death of Shri K. C. Jain as 9-11-79. The management could have appointed the concerned workman under compassionate ground as well because his father-in-law died in harness and there was none left to look after the family members and children of late Shri K. C. Jain. Even if there was any illegality, although there is none the management should not have taken such a drastic step in snatching the bread from the mouth of the concerned workman for no fault of his and without establishing that he had got the appointment by manipulating in the record of the office of the management. In any event I do not feel that the management was justified in terminating the services of the concerned workman even if it was found that he could not have been appointed under NCWA-II and as the concerned workman was already working, the management could have taken pity on him and allowed him to continue in the service on compassionate ground which was available to him under the facts of the case. The order of termination of the concerned workman appears to be illegal and unjustified.

In view of the discussions made above I hold that the demand of the workman of Kharkharee Colony for reinstatement of the concerned workman is justified. As the management had not established any misconduct in a proper enquiry against the concerned workman and also did not establish in the present reference that the concerned workman had manipulated in obtaining his appointment I hold that the concerned workman is entitled to reinstatement with all his back wages.

This is my Award

I. N. SINHA, Presiding Officer  
[No. L-20012 (73)/82-D III (A)]  
A. V. S. SARMA, Desk Officer

New Delhi, the 6th August, 1984

SO 2685—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Kanpur in the industrial dispute between the employers in relation to the Union Bank of India, Lucknow and their workmen which was received by the Central Government on the 28th July, 1984.

BEFORE SHRI R. B. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT, KANPUR

ID No 38 of 1981 (Old)  
ID No 10 of 1984 (New)

PRESENT

Shri R. B. Srivastava, Presiding Officer.

In Re

Shri B. K. Shah  
Represented by U.P. Bank Employees'  
Union, Kanpur

Versus

The Assistant General Manager,  
Union Bank of India,  
Clarks Awadh Hotel, Lucknow

PRESENCE

For Workman—Shri B. K. Shah (Workman)  
Shri Har Mangal Prasad

For Employers—Shri Sat Pal.

Dated, July 21, 1984.

## AWARD

The Central Government, as appropriate Government vide its Order No. L-12012(43)/80 D II A dated 20th March, 1981 referred an industrial dispute to a Tribunal under section 10 of the Industrial Disputes Act 1947 (14 of 1947) in the following terms—

## SCHEDULE

‘Whether the action of the management of Union Bank of India, Lucknow in terminating the services of Shri B. K. Shah Clerk from 15th February 1978 is justified? If not to what relief the concerned workman is entitled?’

2. On receipt of the reference notices were sent to the parties. A statement of claim was filed on behalf of the workman by the union, and thereafter a written statement was filed by the Respondent. The Union also filed the rejoinder in reply to the written statement of the employers. The employers raised a number of preliminary objections.

3. The case was fixed for hearing on 17th July 1984. Both the parties put in their appearance on 17th July, 1984 before this court and filed a compromise which is signed by the duly authorised representatives of both the parties and also verified the same before me. The representatives of both the parties also requested the Court that the award in this case may be given in accordance with the above compromise.

4. I find that the terms of the compromise are fair and proper and therefore I make my award in terms of the compromise, which shall form part of the award.

R. B. SRIVASTAVA, Presiding Officer

[No. L-12012/43/80 D II (A)]  
N. K. VERMA, Desk Officer

BEFORE THE HON'BLE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT AT NEW DELHI (CAMP KANPUR)

Case No 38/81

ID No L-12012(43)/80-D II A

In the matter of

Shri B. K. Shah,  
represented by U.P. Bank Employees'  
Union, Kanpur

Workman

Versus

The Assistant General Manager,  
Union Bank of India,  
Clarks Awadh Hotel, Lucknow

Management.

Sir,

The above industrial dispute is pending before this Hon'ble Court and is fixed for hearing on 17-7-1984.

It is submitted that the Management of Union Bank of India (hereinafter referred to as the Management) and the workman Shri B. K. Shah, represented U.P. Bank Employees Union Kanpur (hereinafter referred to as the Workman) have arrived at a settlement on the following terms—

1. That the Management hereby agrees to appoint the Workman Shri B. K. Shah, fresh in the clerical cadre of the bank on regular basis on or before 20.8.1984 and before the said date he will receive the letter of appointment from the Central office of the Bank containing terms and conditions entailing completion of initial recruitment formalities including medical examination.

2. That the Workman shall not claim any bank wages or any other benefit from the Management for any period, whatsoever, prior to the date of the afore-said fresh letter of appointment.

3. That the Workman shall not be entitled to claim any past benefit/relief of whatsoever nature from the Management for the past period of this temporary service or otherwise.

4. That the Workman will  
and regulations of the Bank  
from time to time

rules  
staff

5. That the Workman hereby agrees that he will not press his claim in the Industrial Dispute Reference No. 38/81 raised by the U P Bank Employees' Union, Kanpur, on his behalf which is pending before this Honble Tribunal

6 That the terms of this settlement will not be quoted as a precedent for any purpose whatsoever anyone

Sd/- (SATPAL)  
Authorised Representative for the  
Management for and on behalf of  
Union Bank of India

Sd (B K Shah),  
WORKMAN IN PERSON  
Sd (HARMANGAL PRASAD),  
U P BANK EMPLOYEE'S UNION,  
KANPUR  
DATED 17-7-84  
KANPUR

PART OF THE AWARD  
R B SRIVASTAVA, Presiding Officer

**कृषि मंत्रालय**  
**(कृषि और सहकारिता विभाग)**

**आदेश**

नई दिल्ली, 13 अगस्त, 1984

का आ 2686 —श्री डी.डी. बंसल, दुग्ध वितरण अधिकारी, दिल्ली मिल्क स्कीम को विरुद्ध कदाचार के आरोप हे और उनके विरुद्ध अनुशासनिक कार्यवाही सन्स्थित करने की पस्थापना है,

और दुग्ध वितरण अधिकारी का उक्त पद, जो 650-1200 रु के वेतनमान का है, दिल्ली मिल्क स्कीम में समूह 'ख' पद है,

और भारत सरकार के कृषि मंत्रालय, कृषि और सहकारिता विभाग के का आ सं 2539, तारीख 7 जुलाई, 1984 द्वारा महाप्रबन्धक, दिल्ली मिल्क स्कीम को केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 11 में विनिर्दिष्ट सभी शास्तिया, दिल्ली मिल्क स्कीम के समूह 'ख' कर्मचारिवन्द पर अधिरोपित करने के लिए मक्षम अनुशासनिक प्राधिकारी अभिहित किया गया है,

और महाप्रबन्धक, दिल्ली मिल्क स्कीम, श्री डी डी बंसल के विरुद्ध अनुध्यात अनुशासनिक कार्यवाही में एक तात्त्विक राक्षी है अतः वह अनुशासनिक प्राधिकारी के रूप में कार्य नहीं कर सकते हैं। अतः यह समीचीन और आवश्यक है कि श्री डी डी बंसल के मामले में एक भिन्न अनुशासनिक प्राधिकारी नियुक्त किया जाए,

अतः अब, राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 12 के उप-नियम (2) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए विशेष

रूप से निदेश देते हैं कि श्री विष्णु भगवान, सयक्त सचिव, कृषि मंत्रालय, कृषि और सहकारिता विभाग, श्री डी. डी. बंसल, दुग्ध वितरण अधिकारी, जो दिल्ली मिल्क स्कीम में समूह 'ख' पद वारण करते हैं, के विरुद्ध उपर विनिर्दिष्ट अनुशासनिक कार्यवाही में मक्षम प्राधिकारी के रूप में कार्य करेंगे।

यह आदेश का. आ. सं. 2539 तारीख 7 जुलाई, 1984 में किसी बात के होते हुए भी प्रभावी होगा।

राष्ट्रपति के नाम और आदेश से।

[सं 13-28/83-एल डी.-13]

बार के चौधुरी, उप-सचिव

MINISTRY OF AGRICULTURE

(Deptt of Agri & Coopn)

New Delhi, the 13th August, 1984

ORDER

S O 2686—Whereas allegations of misconduct are made against Shri D D Bansal, Milk Distribution Officer, Delhi Milk Scheme and it is proposed to institute disciplinary proceeding against him,

And whereas the said post of Milk Distribution Officer, in the scale of pay of Rs 650-1200, is a Group 'B' post in the Delhi Milk Scheme,

And whereas the General Manager, Delhi Milk Scheme, has been designated as the disciplinary authority competent to impose all penalties specified in Rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 on Group 'B' employees of the Delhi Milk Scheme vide Government of India, Ministry of Agriculture Department of Agriculture and Cooperation S O No 2539 dated the 7th July 1984,

And whereas the General Manager, Delhi Milk Scheme, who is a material witness in the disciplinary proceeding contemplated against Shri D D Bansal, cannot function as disciplinary authority and it is, therefore, expedient and necessary to appoint a different disciplinary authority in the case of Shri D D Bansal

Now therefore, in exercise of the powers conferred by clause (b) of sub-rule (2) of rule 12 of the Central Civil Services (Classification, Control and Appeal) Rule 1965, the President hereby specially directs that Shri Vishnu Bhagwan, Joint Secretary in the Ministry of Agriculture, Department of Agriculture & Cooperation shall act as disciplinary authority in respect of the disciplinary proceedings referred to above against Shri D D Bansal, Milk Distribution Officer holding a Group 'B' post in the Delhi Milk Scheme

This Order shall have effect notwithstanding anything contained in S O No 2539 dated the 7th July, 1984

By order and in the name of the President

[No 13-28/83-LD II]  
R K ROY CHOUDHURY, Dy Secy.